

Message Text

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C O N F I D E N T I A L LAGOS 8962

E.O. 11652: GDS
TAGS: PINT, PGOV, NI
SUBJECT: DISQUALIFICATION OF CANDIDATES FOR CONSTITUTENT ASSEMBLY

1. AFTER INITIALLY ANNOUNCING DISQUALIFICATION OF 53 CANDIDATES FOR CONSTITUTENT ASSEMBLY JULY 30, FEDERAL ELECTION COMMISSION (FEDECO) HAS CONTINUED TO ANNOUNCE A TRICKLE OF DISQUALIFICATIONS FOLLOWED BY SOME REINSTATEMENTS. FINAL LISTS ARE STILL NOT COMPLETE BUT CHIEF MICHAEL ANI, CHAIRMAN OF FEDECO, SAID ON AUGUST 6 THAT FINAL LIST OF CANDIDATES AND THOSE DISQUALIFIED WOULD BE PUBLISHED AUGUST 17.

2. FEDECO'S ACTION HAS STIRRED STORM OF CONTROVERSY IN VARIOUS CIRCLES, PARTICULARLY AMONG OLD GUARD POLITICIANS AND LABOR LEADERS. EMBASSY'S SIFTING OF NAMES HAS NOT ESTABLISHED ANY DEFINITE PATTERN IN DISQUALIFICATIONS, WHICH APPARENTLY INCLUDE OLDER POLITICIANS, LABOR LEADERS, YOUNGER INTELLECTUALS AS WELL AS OTHERS UNKNOWN TO EMBASSY. ALTHOUGH LARGE NUMBER OF CANDIDATES WERE DISQUALIFIED IN SOUTHERN STATES, MORE
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CANDIDATES HAD INITIALLY ANNOUNCED FROM THOSE STATES.

3. REASONS FOR DISQUALIFYING INDIVIDUAL CANDIDATES WERE NOT PUBLISHED, ALTHOUGH GENERAL GUIDELINES--CONVICTION FOR CORRUPTION, PREVIOUS EXCOMMUNICATION FROM POLITICAL ACTIVITY, NONPAYMENT OF TAXES--APPEAR TO BE NONPARTISAN.

4. SOME DISQUALIFIED CANDIDATES HAVE THREATENED TO SUE FEDECO AND JOSEPH TARKS, PROMINENT OLD POLITICIAN WHO WAS COMMISSIONER TWICE UNDER THE GOWON REGIME, HAS REPORTEDLY OBTAINED THE SERVICES OF CHIEF ROTINI WILLIAMS, CHAIRMAN OF THE CONSTITUTIONAL DRAFTING COMMITTEE, TO ARGUE HIS CASE. CHIEF ANI, HOWEVER, SAID ON AUGUST 4 THAT FEDECO DECISIONS WERE FINAL AND COULD NOT BE CHALLENGED IN COURT.

5. FEDECO ACTION HAS RECEIVED GENERAL PRESS SUPPORT, BUT MANY NEWSPAPERS ARE CALLING FOR PUBLICATION OF REASONS FOR DISQUALIFICATIONS. RESPONDING TO THE EXTENSIVE CRITICISM FROM VARIOUS CIRCLES, CHIEF ANI SAID LIST OF DISQUALIFIED CANDIDATES TO BE PUBLISHED AUGUST 17 WOULD INCLUDE REASONS FOR DISQUALIFICATIONS.

6. COMMENT: IT IS TOO EARLY TO GAUGE ACCURATELY MOTIVATIONS BEHIND FEDECO ACTION. INTENT MAY BE TO EXCLUDE THOSE WHOM SMC VIEWS AS POTENTIAL TROUBLEMAKERS FROM CONSTITUENT ASSEMBLY IN ORDER TO PRODUCE CONSTITUTION LARGELY IDENTICAL WITH CURRENT DRAFT WITHOUT EMBARRASSING DEBATES ON ISSUES SUCH AS PRESS FREEDOM AND EXECUTIVE PRESIDENCY. ALTERNATIVELY, FEDECO ACTION MAY BE INTENDED TO EXCLUDE A RANGE OF PEOPLE PERMANENTLY FROM POLITICAL PROCESS AS COUNTRY MOVES TOWARD CIVILIAN RULE. FORMER THEORY WOULD BE SUPPORTED BY SMC'S OFFICIAL POSITION AS CONFIDENTIAL

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WELL AS CHIEF OF STAFF YAR'ADUA'S REMARKS THAT CONSTITUTION SHOULD BE ADOPTED BEFORE ESTABLISHING POLITICAL PROCESS AND PERHAPS PARTIES WOULD BE ALLOWED AS EARLY AS NEXT SPRING IF CONSTITUTION IN PLACE. HOWEVER, LATTER THEORY MAY BE MORE IN LINE WITH NATURAL PROCLIVITIES OF AT LEAST SOME SMC MEMBERS. FINALLY, IT IS POSSIBLE THAT FEDECO HAS NO ULTERIOR MOTIVES AT ALL AND IS SIMPLY FOLLOWING ITS GUIDELINES TO THE LETTER-- BUT WE DOUBT IT.
WYMAN

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